

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office Action dated January 10, 2006 are respectfully requested.

Claim 1 was rejected under the judicially created doctrine of obviousness-type double patenting at being unpatentable over claim 1 of U.S. Patent No. 6,805,288. Applicant respectfully traverses this rejection, but agrees to file a Terminal Disclaimer solely for the purpose of expediting the issuance of this application and without any admission or estoppel.

In accordance with the foregoing, enclosed herewith is an executed Terminal Disclaimer filed in accordance with C.F.R. §1.321(b) and (c) which disclaims the terminal portion of any patent issuing on the instant application that extends beyond the expiration of U.S. Patent No. 6,805,228, issued October 19, 2004. The applicant submits that Terminal Disclaimer overcomes the rejection for obviousness-type double patenting and withdrawal of the rejection is respectfully requested.

Claims 2-22 were objected to as being dependent upon rejected base claim 1. Since claim 1 is now allowable, claims 2-22 are therefore also allowable. Applicant respectfully requests the withdrawal of the objection to claims 2-22.

Applicant believes that all pending claims are allowable and a Notice of Allowance is respectfully requested. If the Examiner believes that a telephone conference would be of value in expediting the prosecution of this application, she is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,
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